

United States District Court
District of Massachusetts

FILED
IN CLERKS OFFICE

Christopher Devine
Vs.
Stop and shop companies Inc

2007 MAR 29 A 11:32
civil action
No.04 21286-JGD
DISTRICT COURT
DISTRICT OF MASS.

Pretrial Memo

Summary of the evidence

Christopher Devine plaintiff vs. the Stop and Shop Companies Inc The plaintiff intends to prove at trial that the defendant intentionally inflicted both physical and emotional damages upon the plaintiff.

The reasons for liability are as follows

- A) Failure to accommodate when the accommodation was asked for.
- B) Failure to initiate interactive dialogue with the plaintiff.
- C) Failure to assist the plaintiff that would lighten his duties in a way that the assistance would not fail.
- D) Disciplined the plaintiff instead of accommodating. Exhibit 17
- E) During Mr. Devine's employment management wanted Mr. Devine to go away because of his HIV positive status, and instead they wanted him to quit and failure to accommodate him and stresses him out to the fact that he could no longer work for the company.
- F) Another fact is that the company did not want him to receive opportunity benefits like health and welfare and 401k plan and pension his opportunities where limited.
- G) The company also tried to discredit the case and the plaintiff would like to be awarded such damages.
- H) Mr. Devine informed more than one commander and the company chose to ignore him when his job performance started to deteriorate.
- I) Also what the company is liable for is that Mr. Devine was sick on the job for along while that he had no other chose but to resign.
- J) The company is also trying to discredit me again for discriminating against me for having a mental illness that of having past criminal history of disorderly conduct which all got dismissed. Stop and shop have mental records of me that was indicated in his deposition of past hospitalizations. Few hospitals misdiagnosed him. Not going to mention what hospitals.
- K) Mr. Devine gave a psyche evaluation from a doctor to determine his social security disability payments and the doctor only diagnosed him with depression and nothing else.
- L) These other hospitalizations are caused from the MCAD writing lack of probable cause and for the past seven years Mr. Devine has suffered. From 2001 to 2007
- M) Liable also for humiliation and embarrassment

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SOUTHERN DISTRICT OF MASS.
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To give you a better look at the case look at the initial discloser that states that they knew Mr. Devine's disability. They had authority to accommodate when they did not.

Also look at the rebuttal from the MCAD that expresses the fact of not accommodating.

Damages

Mr. Devine would like to be compensated for emotional distress, mental anguish pain and suffering and lost gross income as well as his punitive damages, declaratory and injunctive relief and attorneys fees and costs.

(option)

Mr. Devine's does not know how to calculate these damages but did set a demand of \$300,000,000.

Pro , sa

Witnesses to be called or subpoenaed to the court.

Alan Bruno

245 Mayfield avenue Cranston RI 02920

Phone 401 632 4994

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Christopher M. Devine

04/26/200

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CHRISTOPHER M. DEVINE

BY MR. KLEIN

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*Original exhibits marked during the deposition
retained by Attorney Klein.

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CHRISTOPHER M. DEVINE

Direct Examination by Mr. Klein

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*Original exhibits retained by Mr. Klein.